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MM 93-75

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WASHINGTON, D.C.

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May 19, 1998

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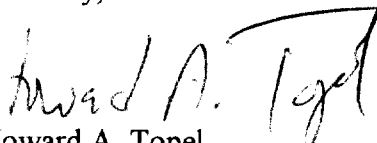
Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, N.W.--Room 222
Washington, D.C. 20554

Dear Ms. Salas:

Enclosed for re-filing are two consent motions for extension of time that we filed yesterday. We are re-filing the motions because the signature pages on yesterday's filing were collated improperly.

If there are any questions concerning this matter, please contact the undersigned.

Sincerely,


Howard A. Topel

HAT\jt
Enclosures

cc: All Parties on Certificate of Service

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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ORIGINAL

RECEIVED

MAY 19 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of)
)
)

TRINITY BROADCASTING OF)
FLORIDA, INC.)
)
)

For Renewal of License of)
Television Station WHFT(TV))
Miami, Florida)
)

GLENDAL E BROADCASTING COMPANY)
)
)

For Construction Permit for)
New Television Station in)
Miami, Florida)
)

MM Docket No. 93-75

TRINITY CHRISTIAN CENTER OF)
SANTA ANA, INC.)
)
)

For Renewal of License of)
Television Station WHSG(TV),)
Monroe, Georgia)
)

GLENDAL E BROADCASTING COMPANY)
)
)

For Construction Permit for)
New Television Station in)
Monroe, Georgia)
)

MM Docket No. 93-156

TRINITY BROADCASTING OF)
NEW YORK, INC.)
)
)

For Renewal of License of)
Television Station WTBV(TV),)
Poughkeepsie, New York)
)

MARAVILLAS BROADCASTING COMPANY)
)
)

For Construction Permit for)
New Television Station in)
Poughkeepsie, New York)
)

BRCT-940202KE

BPCT-940426KG

NATIONAL MINORITY T.V., INC.)	BRCT-931004KI
)	
For Renewal of License of)	
Television Station KNMT(TV),)	
Portland, Oregon)	
)	
For Pro Forma Transfer of Control)	BTCCT-930921KN
)	
MARAVILLAS BROADCASTING COMPANY)	BPCT-931230KF
)	
For Construction Permit for)	
New Television Station in)	
Portland, Oregon)	
)	
<hr/>		
TRINITY CHRISTIAN CENTER OF)	BRCT-930730KF
SANTA ANA, INC.)	
)	
For Renewal of License of)	
Television Station KTNB-TV,)	
Santa Ana, California)	
)	
MARAVILLAS BROADCASTING COMPANY)	BPCT-931028KS
)	
For Construction Permit for)	
New Television Station in)	
Santa Ana, California)	
)	
SIMON T)	BPCT-931101LF
)	
For Construction Permit for)	
New Television Station in)	
Santa Ana, California)	
)	

To: The Commission

CONSENT MOTION FOR EXTENSION OF TIME

Trinity Christian Center of Santa Ana, Inc., d/b/a Trinity Broadcasting Network ("TBN"), by its counsel, respectfully requests an extension of time to and including June 9, 1998, for the filing of comments regarding the Joint Requests For Approval Of Settlement Agreements filed on April 13, 1998, concerning the

above-captioned proceedings. In support hereof, TBN respectfully states as follows:

1. On April 13, 1998, TBN, Trinity Broadcasting of Florida, Inc. ("TBF"), Trinity Broadcasting of New York, Inc. ("TBNY"), Trinity Broadcasting of Texas, Inc. ("TBT"),¹ National Minority T.V., Inc. ("NMTV"), Glendale Broadcasting Company ("Glendale"), Maravillas Broadcasting Company (Maravillas), the League of United Latin American Citizens ("LULAC"), the Spanish American League Against Discrimination ("SALAD"), the California State Conferences of Branches of the NAACP, and the Alaska/Oregon/Washington State Conference of Branches of the NAACP,² filed Joint Requests For Approval Of Settlement Agreements in Commission proceedings involving, inter alia, applications for renewal of television licenses of Trinity and NMTV. Subject to Commission approval, those Joint Requests and agreements propose to resolve the disputes among all private parties to the Trinity and NMTV litigation and renewal proceedings except for the mutual exclusivity between TBN's application for renewal of license of KTBN-TV, Santa Ana, California, and the application of Simon T for a construction permit for a new station on the KTBN-TV frequency.

2. On April 28, 1998, TBN filed a Consent Motion for

¹TBN, TBF, TBNY, and TBT are hereinafter collectively referred to as "Trinity".

²The California and Alaska/Oregon/Washington State Conferences of Branches of the NAACP are hereinafter collectively referred to as "NAACP."

Extension of Time requesting until May 19, 1998, for the submission of comments on the Joint Requests. The extension was requested to enable TBN and Simon T to pursue ongoing discussions regarding a possible settlement of the dispute between them, which discussions, if successful, would permit a comprehensive resolution of the pending Trinity and NMTV renewal proceedings.

3. Those discussions have succeeded and TBN and Simon T have reached agreement on the terms for settlement of their differences. Accordingly, TBN respectfully requests a further extension to enable TBN and Simon T to complete the documentation and submission of their settlement agreement and joint request for approval thereof without the intervention of adversarial pleadings which might otherwise be necessary to preserve their positions. The settlement agreement and joint request are currently being prepared and should be filed within a week.

4. Specifically, TBN requests that the time for filing comments on the pending Joint Requests be extended until June 9, 1998, by which a binding agreement between TBN and Simon T will have been executed and submitted for approval and the need for further adversarial pleadings between those applicants will subside. Good cause exists for the requested extension, since approval of the settlement agreement would complete the settlement of all pending renewal proceedings involving Trinity and NMTV, eliminate the need for any further adversarial pleadings between the competing applicants, and remove the need for expenditure of Commission resources on such adversarial

matters. The public interest in settling litigation and conserving both Commission and private party resources is well established.

5. Counsel for the Mass Media Bureau has asked Trinity's undersigned counsel to state that the Bureau will file its comments on the pending Joint Requests on the current due date, May 19, 1998, but consents to the requested extension as it relates to filings by TBN and Simon T. Counsel for all other parties to any aspect of the Trinity and NMTV proceedings -- NMTV, Glendale, Maravillas, LULAC, SALAD, the NAACP, and Simon T -- have also authorized the undersigned to inform the Commission that they consent to the grant of this motion.³ Appropriate members of the Commission's staff have been informed telephonically that this motion is being filed.

For the foregoing reasons, TBN respectfully requests that the time for filing comments regarding the Joint Requests for

³By making or consenting to this motion, no entity intends to waive any objection it may have to any other entity's right to participate in any aspect of the Trinity and NMTV litigation proceedings.

Approval of Settlement Agreements filed on April 13, 1998, be extended to and including June 9, 1998.

Respectfully submitted,

**TRINITY CHRISTIAN CENTER OF SANTA ANA,
INC. d/b/a TRINITY BROADCASTING NETWORK**

By: Howard A. Topel
Howard A. Topel

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(202) 939-7900

Its Counsel

By: Colby M. May / HAT
Colby M. May

Law Offices of Colby M. May
1000 Thomas Jefferson Street, N.W.
Suite 609
Washington, D.C. 20007-3835

Its Co-Counsel

May 19, 1998

CERTIFICATE OF SERVICE

I, Joan M. Trepal, a secretary in the law firm of Fleischman and Walsh, L.L.P., hereby certify that on this 19th day of May, 1998, copies of the foregoing "Consent Motion For Extension of Time" were sent by first class mail, postage prepaid, to the following:

- * Hon. William E. Kennard
Chairman
Federal Communications Commission
1919 M Street, N.W. -- Room 814
Washington, D.C. 20554
- * Hon. Susan Ness
Commissioner
Federal Communications Commission
1919 M Street, N.W. -- Room 832
Washington, D.C. 20554
- * Hon. Harold Furchtgott-Roth
Commissioner
Federal Communications Commission
1919 M Street, N.W. -- Room 802
Washington, D.C. 20554
- * Hon. Michael K. Powell
Commissioner
Federal Communications Commission
1919 M Street, N.W. -- Room 844
Washington, D.C. 20554
- * Hon. Gloria Tristani
Commissioner
Federal Communications Commission
1919 M Street, N.W. -- Room 826
Washington, D.C. 20554

* Hand Delivered.

- * Christopher J. Wright, Esq.
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- * P. Michelle Ellison, Esq.
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- * Daniel M. Armstrong, Esq.
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- * John I. Riffer, Esq.
Assistant General Counsel -- Administrative Law
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- * Robert H. Ratcliff, Esq.
Mass Media Bureau
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- * Norman Goldstein, Esq.
Chief, Complaints/Political Programming Branch
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- * James Shook, Esq.
Mass Media Bureau
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1919 M Street, N.W. -- Room 7212
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- * Clay Pendarvis, Esq.
Chief, Television Branch
Video Services Division
Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W., Room 702
Washington, D.C. 20554

- * Barbara Kreisman, Esq.
Chief, Video Services Division
Federal Communications Commission
1919 M Street, N.W., Room 702
Washington, D.C. 20554

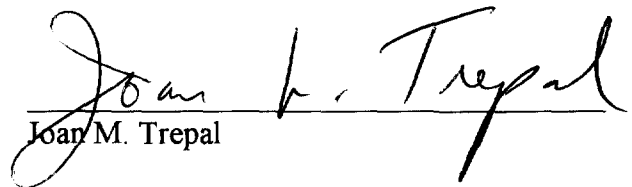
- * Mary M. Fitzgerald, Esq.
Supervisory Attorney
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Joan M. Trepal